

APPENDIX

EXHIBIT 8

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

ROBERT LEDWITH, TERRENCE MOORE, KEVIN)
KELLY, FRED LeMOINE, ALFRED G. GEROSA,)
JOHN BRUNETTI, KEVIN O'BRIEN, and JOSEPH)
MARTINELLI, as TRUSTEES of the LOCAL #46)
METALLIC LATHERS UNION AND REINFORCING) Docket No. 07-CV-4237 (CBA)(CLP)
IRON WORKERS WELFARE TRUST, ANNUITY)
FUND, PENSION FUND, APPRENTICESHIP FUND,)
VACATION FUND, SCHOLARSHIP FUND and)
OTHER FUNDS,)
) NOTICE OF DEFENDANTS'	
) MOTION FOR	
) SUMMARY JUDGMENT	
-and-	
ROBERT LEDWITH, as Business Manager of the)
LOCAL #46 METALLIC LATHERS UNION AND)
REINFORCING IRON WORKERS and as Trustee of)
the LOCAL #46 METALLIC LATHERS UNION AND)
REINFORCING IRON WORKERS POLITICAL)
ACTION FUNDS,)
Plaintiffs,	
-against-	
CHARLES DOHERTY, UNITED STATES REBAR,)
INC., and JOHN DOES 1-10,)
Defendants.	

PLEASE TAKE NOTICE that defendants Charles S. Doherty and United States Rebar, Inc., by and through their undersigned counsel, respectfully move this Court for Summary Judgment dismissing Plaintiffs' Amended Complaint in its entirety pursuant to Fed. R. Civ. P. Rule 56. Oral argument will be held on a date and time to be designated by the Court (previously set by the Court for August 14, 2008, at 11:00 a.m.). This Motion is supported by the accompanying Defendants' Statement Under Local Rule 56.1, the Memorandum of Law,

dated May 23, 2008, the accompanying Declaration of James O. Druker, Esq., executed on May 23, 2008, and the exhibits annexed thereto, the accompanying Affirmation of Michael Rabinowitz, Esq., sworn to on December 19, 2007, and the exhibits annexed thereto, the Affidavit of Charles S. Doherty, sworn to on December 26, 2007, and the Affidavit of Thomas E. McDonagh, sworn to on December 21, 2007.

Dated: May 23, 2008

Respectfully submitted,

KASE & DRUKER

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